

Online Training | Dealing with substitute decision-makers (residential aged care and home care)

When: Thursday 7 July 2022

Time: 2:30 - 4:00 PM AEST

Where: Online via Zoom using your PC or mobile

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Who should attend: This online training is relevant to aged care workers and managers working in residential aged care and home care.

In this training session, our presenters will cover:

- The roles of financial attorneys, guardians, medical treatment decision makers and other substitute decision-makers
- How and when you should go to the Tribunal to apply for a new representative to be appointed

This training will help you understand the role of substitute decision-makers/representatives and break down the terminology. It will also provide you with a step-by-step guide on making an application to VCAT (Victoria) or NCAT (NSW) (and other state Tribunals) where a representative isn't acting in the interests of the care recipient whether because they are not following clinical advice, not paying the fees or obstructing their care.

This interactive 90-minute training session will cover:

- The differences between a "guardian", "financial attorney", "person responsible", "medical treatment decision-maker" and "next-of-kin" (NOK).
- Which decisions these people can make.
Eg, can a NOK sign a resident or home care agreement? Who can make decisions about the resident's care? Can a financial attorney make the decision not to follow a speech pathologist's advice regarding a soft diet? Who can make a decision about restrictive practices?
- What to do if you disagree with a decision-maker?
- Identifying the key factors to consider in deciding whether to make an application.
- Understanding the role and expectations of the NCAT/VCAT etc.
- Reviewing key steps in making the application.
- Understanding the evidence required to support a successful application.
- The pros and cons of making a Tribunal application.

Opportunity to submit your questions - Q&A

To make the session as interactive as possible, you have the opportunity to submit questions before the training to events@rk.com.au. Our presenters Anita Courtney and Johanna Heaven will be joined by Ilana Kacev, Principal in Russell Kennedy's Wills and Estate Planning team whose practice includes the creation of Enduring Powers of Attorney and Appointments of Medical Treatment Decision Makers as well as disputed matters relating to these documents and the appointments of administrators and guardians. Ilana will be answering your live questions throughout the session.

Online Training Details

We are utilising Zoom to run this webinar. [Zoom is free to download](#) and can be viewed from your PC/mobile device. The Zoom link to log into the live training will be sent to registered attendees before the scheduled start time.

DATE: Thursday 7 July 2022

TIME: 2:30 pm - 4:00 pm AEST

PRICE: \$95.00 (Incl. GST)

To enquire about a group booking, please contact events@rk.com.au to discuss a group booking discount.

To register for this training, click the button below:

[Click to book!](#)



Anita Courtney

Principal

Anita Courtney, Principal in Russell Kennedy's Aged Care team will facilitate and deliver the training. Anita is a principal in Russell Kennedy's Aged Care team with a focus on the home care sector. She specialises in helping home care providers comply with their legal responsibilities under the *Aged Care Act* and its principles as well as privacy legislation and other laws. She also assists providers in managing complaints, debt recover issues and helps them to in understanding their duty of care and dignity of risk issues. Anita helps providers respond to, and challenge decisions of the aged care regulators including the Department of Health and Aged Care Quality and Safety Commission and represents aged care providers in guardianship and administration proceedings in Victoria and other states.

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Ilana Kacev

Principal

Ilana Kacev, Principal in Russell Kennedy's Wills and Estate Planning team is a Law Institute Wills & Estates Accredited Specialist. Ilana's well rounded experience across all aspects of estate matters enables her to provide her clients with strategic and objective advice in relation to both estate planning and disputes. Whether it be creating an estate plan, resolving an estate dispute or protecting those in vulnerable positions, Ilana is able to provide clear and straightforward advice by evaluating her client's circumstances and identifying practical solutions to their problems. She regularly appears for her clients in the Supreme and County Courts, the Victorian Civil and Administrative Tribunal and mediations.

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Johanna Heaven

Lawyer

Johanna Heaven, a Lawyer in the Russell Kennedy Aged Care team will also present in the training. Johanna practices in the areas of administrative law, litigation, regulatory compliance and risk management, with a focus on aged care, home care, health and government. She assists aged care providers in both home care and residential care to comply with their responsibilities under the Aged Care Act 1997 and its Principles and assists aged care providers in responding to the Aged Care Quality and Safety Commission. Johanna also represents clients in coronial inquests and Royal Commissions.

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